

28-9211-00-5

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

EDWARD F. WEINBERG, ILYNE R.)	
WEINBERG,)	
Plaintiff(s))	
)	No. 08 C 663
v.)	
)	Judge: Holderman
FIRST FRANKLIN FINANCIAL CORP.,)	Magistrate Judge Keys
FLAGSHIP MORTGAGE CORP.)	
)	
Defendant(s))	

DEFENDANT FLAGSHIP MORTGAGE CORP.'S
MOTION TO DISMISS PURSUANT TO 12(B)(6)

Defendant, FLAGSHIP MORTGAGE CORP. , by its attorneys, JOHN M. HYNES, PAIGE M. NEEL and CLAUSEN MILLER P.C., moves his Honorable Court for an order dismissing any and all claims made against it in Plaintiffs' Complaint. This Motion to Dismiss is brought pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

In support of this Motion, attached hereto and incorporated herein find a Memorandum of Law in support of Defendant Flagship Mortgage Corp.'s Motion to Dismiss.

BY: s/ Paige M. Neel
PAIGE M. NEEL
CLAUSEN MILLER P.C.

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NOTICE OF ELECTRONIC FILING AND CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 21st day of March, 2008, the foregoing **Defendant Flagship Mortgage Corp.'s Motion to Dismiss Pursuant to 12(b)(6)** was electronically filed with the Clerk of the Court using CM/ECF system which sent notification of such filing to the parties who are registered participants with the System and hereby certify that copies were mailed to any non-CM/ECF participants:

/s/Paige M. Neel

Paige M. Neel